

11/10/14
Draft Consolidated Comments on NYSERDA Agreement
For CUC Meeting 11/13/14

1. Are other mandated Village reviews subject to full NYSERDA grant compliance?

Street Trees

(CB) The bullet on Street Trees needs to have NYSERDA apprised of the fact that there is Tree Advisory Committee, which if the proposed code amendment establishing a Tree Board (or whatever) is adopted, will be tasked with creating a tree management plan, for which there is no timetable at present.

(TL) Standards for Street Trees - The existing street tree committee under the charge of the VBOT is reviewing this standard

Historic District Standards

(CB) The four bullets in Task 3 dealing with Historic District are ill-defined. While this Task should be and will be in its entirety under the purview of HDRB due to the CLG grant it has secured, the HDRB has nothing to do with Traditional Neighborhood District standards since HDRB has not established such districts, nor with Adaptive Reuse since HDRB does not concern itself with internal building functions. The last bullet is a mish-mosh of Law and Design. The CLG grant divides its scope between historic district ordinance update (law) and Architectural and Historic District Design Standards (design). Form-Based is essentially also part of Design Standards, not a stand-alone item.

(TL) Standards for the Preservation and Restoration of Cultural Features - As stated in the previous minutes, the HDRB would be working on this item.

Sign Standards

(TL) Sign Standards - As stated in the previous meeting's minutes, this item is being addressed by the VBOT or is in a separate section of the Village code.

2. Is the current time frame for grant implementation realistic?

(ME) Milestone chart - I recommend obtaining NYSERDA's agreement that the entire set of Milestones be reevaluated. Of particular concern are 1.1 and 4.1 and potentially 1.2A. The committee has just had its first meeting and is likely to have only 2 more meetings before the end of the year. Achieving these 3 milestones seems unworkable.

(ME) Task 1, 1.1 (PEP) sub bullet 5 (Performance Metrics) - Reword the second sentence ("Prior to the end of Q3 2014....") to be "Prior to the end of Q4 2014"

3. Is the suggested list of Village Code Amendments (Task 2) adequate?

(ME) I recommend that "Fence Standards" remain on the list of 25.

(CB) The bullets on Cultural Features, Outright Demolition and some aspects of Conservation Subdivision (since "conservation" can be defined from several perspectives) has considerable overlap with the historic preservation tasks enumerated later in Task 3 on in the SOW.

(ME) Should the last item in the list of 25 refer to the LWRS instead of the LWRP?

(DM) Add to section 2.2 - Develop proposed standards for Accessory Buildings and/or combine this with the look at revised detached garage standards

(DM) In section 2.2 for all 25 Draft Village Zoning Code amendments clarify or remove wording such as "adopt" to reflect what the Committee is really doing which is to develop proposed amendments for the public and the VBOT to consider for adoption.

(TL) Prohibit Outright Demolition of Existing Structures - A blanket statement like this should not be part of a Zoning ordinance. Existing ordinance covers controlled demolition. Previous demolition of existing structures on Main Street and rebuilding maintaining its previous existing features has proven to be beneficial to the character of the village.

(TL) Parking Standards - Existing Zoning ordinance covers sufficient parking standards in all district regulations. Public street parking is not part of a Zoning ordinance and should be addressed by the VBOT or a separate section of the Village code.

(MA) 1. **Accommodations.** The Comprehensive plan noted a severe shortage of overnight rooms in the Village, and in 4.2.5 urged action be taken to

Encourage an increase in the number of overnight accommodations by:

- Permitting B & Bs throughout the Village as long as they adhere to *performance standards* for signage, lighting, noise and parking;
- Encouraging adaptive re-use of historic structures for B & Bs and inns;
- Amending the *Zoning Law* to permit small inns in appropriate locations;
- Amending the off-street parking requirements to reduce the number of spaces required for small inns and B & Bs, recognizing many visitors arrive by train;
- Considering ways of encouraging coordinated management and marketing of B & Bs, such as through a B & B association or a lodging association.

In addition, modifying the Village code to make it easier for villagers to offer overnight stay rooms in their homes (perhaps using networks like AirBNB) would serve to better align the interests of villagers with tourism, and boost community support for this key regional economic objective. It would increase energy efficiency by making better use of existing infrastructure, and improve the economy by encouraging overnight stays and more tourism spending.

2) **Parking Standards.** Expand to include standards for cars parked in districts that meter parking. Because metering is known, through many studies, to increase turnover, fewer actual spaces should be required for businesses in areas where metering is in force. The Village's parking standards should reflect this.

3) **Steep slopes.** The Comprehensive Plan calls for protection of steep slopes (3.1.2), and this is urgently needed as part of an overall land use plan for the village, since several mixed use parcels (Marathon, the Village Garage Site, etc.) include or are adjacent to steep slopes.

4) **Flood Management building Standards.** Many historic village properties are located in a flood zone west of the railroad tracks. New building standards could help owners deploy strategies to make structure viable in flood prone areas, as well as improve safety.

5) **Waterfront recreation.** Current Village zoning includes a recreation area, but no definition of such a category exists. The code should be amended to reflect the preferred uses identified in the LWRS and the Comprehensive Plan, and this item should be on the NYSERDA list.

4. **Are the parties' responsibilities clear?**

(ME) The list of 25 affects not just Section 134 (Zoning) but other sections of the Village Code as well. I would recommend replacing the phrase "Village Zoning Code" with "Village Code" in all instances in the document. By the way,

(ME) 2.1 - should "Zoning Committee" (here and in other places in the SOW) be changed to "Code Update Committee"?

5. What needs B&L input?

(CB) In the **B&L proposal**, the Task 3 work items are shown on pp. 2-5 through 2-7 and p. 2-10. The max. cost share for NYSERDA for this task is \$14,400. Perhaps it might be prudent to amend the NYSERDA contract and the B&L proposed scope to shift his dollar amount to a contingency line, rather than eliminate it, since it's quite possible issues may come up which require greater work effort, research, etc.

(TL) As for comments on Article V, Exhibit E and Exhibit F - B&L consultants have included these items in their proposal as work they would do. No recommendations on these 3 (Article V, Exhibits E and F) should be made until the VBOT completes negotiations with B&L with comments from this committee and legal advice from our attorney.

6. Definitions and Clarifications.

(ME) Does anyone know what (Section 6.4) "zoning verification cards" are?

(DM) Define what a zoning verification card is.

(DM) Revise zoning code article II section 134-3 "Word Use and Definitions" to clarify and update meanings to present day life and to insure continuity between definition and it's word use in the zoning code.

(TL) Green Building Standards - Where is this defined? The existing ordinance requires the builder and Building Inspector to follow the NYS Building Code.

Part IV - Energy Conservation - The NYS Building Code sufficiently covers energy efficiency for all district regulations.

Project Background - The last sentence in this paragraph says "The village will hold a public vote...." - does this mean a referendum, or a vote by the VBOT in a public meeting?